

ROUTING AND RECORD SHEET

SUBJECT: (Optional)

Proposed Executive Order to Govern Access to
Classified Information

FROM:

Acting Director of Security

EXTENSION

NO.

OS 88-2047

DATE

6 MAY 1988

DDA/REG
LOGGED

TO: (Officer designation, room number, and building)

DATE

RECEIVED

FORWARDED

OFFICER'S INITIALS

COMMENTS (Number each comment to show from whom to whom. Draw a line across column after each comment.)

1. Director, IC Staff

General Counsel

88-01797

LOGGED
28 MAY 1988
IC STAFF

DCI
EXEC
REG

FORM 1-79

610

USE PREVIOUS EDITIONS

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General Counsel

88-01797

6 MAY 1988

MEMORANDUM FOR: Deputy Director of Central Intelligence

VIA: Executive Director
Deputy Director for Administration
General Counsel

STAT

FROM:
Acting Director of Security

SUBJECT: Proposed Executive Order to Govern Access to
Classified Information

REFERENCE: Memo for DDCI fm D/OS dtd 24 March 1988, Subj:
Proposed Executive Order to Govern Access to
Classified Information

1. Action Requested: Attached for your signature is a letter to Lieutenant General Colin L. Powell, Assistant to the President for National Security Affairs, forwarding appropriate language exempting the Agency from the "oversight" and administrative appeal procedures of the proposed Executive Order on personnel security. Also included is language which would substitute "sufficient doubt" as the Government-wide security standard in place of "reasonable doubt." If the objections we have to the proposed Executive Order cannot be resolved to our satisfaction through the NSC process, we recommend that our concerns be brought to the attention of the President.

2. Background: In deference to our concerns, the Department of Defense has officially concurred with the Agency's proposed amendments to Sections 7 and 9 of the proposed Executive Order which would protect the authorities of the Director of Central Intelligence. In deference to DOD's concerns, the Agency has agreed to support personnel security oversight of DOD by the Information Security Oversight Office. Additionally, DOD concurs with our objection to the use of "reasonable doubt" as the standard for the denial and revocation of security clearances and approvals, although it has suggested language of its own as the preferred alternative to be considered in the NSC process. While we are not entirely comfortable with DOD's proposed alternate language, nevertheless, we are willing to discuss, under NSC auspices,

OS 88-2047

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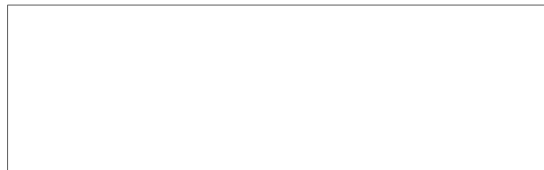
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whether a standard other than the "sufficient doubt" standard we have proposed would be the best substitute for the "reasonable doubt" standard. Attachment A reflects DOD concurrence with our amendments to Sections 7 and 9 and indicates DOD objection to the term "reasonable doubt." The Office of Personnel Management has been briefed on our concerns but has remained noncommittal.

In order to appropriately address in a national security forum all concerns raised by the proposed Executive Order, it is important that all significant issues relating to the proposed Order be resolved by the NSC process before the draft Order is circulated by the Office of Management and Budget for Government-wide review and comment. Both DOD and OPM share this view.

3. Recommendation: That you sign the attached letter to General Powell, which requests that a staff-level meeting of the affected agencies be convened under NSC auspices to resolve all outstanding issues, and which requests that a final decision be made by the President, if necessary.

STAT



Attachments

cc: Director, Intelligence Community Staff

CONCUR:

STAT



General Counsel

10 May 88
Date

STAT



Deputy Director for Administration

13 May 88
Date

STAT



Executive Director

16 May 88
Date